

BOARD OF SUPERVISORS

MINUTES

January 10, 2007

Supervisors in Attendance:

Mr. Kelly E. Miller, Chairman
Mrs. Renny B. Humphrey, Vice Chrm.
Mr. R. M. "Dickie" King, Jr.
Mr. Donald D. Sowder
Mr. Arthur S. Warren

Mr. Lane B. Ramsey
County Administrator

Staff in Attendance:

Colonel Carl R. Baker,
Police Department
Mr. Allan Carmody, Dir.,
Budget and Management
Ms. Marilyn Cole, Asst.
County Administrator
Mr. Roy Covington, Dir.,
Utilities
Mr. Charles Dane, Dir.,
External Services
Mr. Will Davis, Dir.,
Economic Development
Ms. Rebecca Dickson, Dep.
County Administrator for
Human Services
Ms. Lisa Elko, CMC,
Clerk
Mr. Michael Golden, Dir.,
Parks and Recreation
Mr. John W. Harmon,
Right-of-Way Manager
Mr. Russell Harris, Mgr.
of Community Development
Services
Dep. Chief Mike Hatton,
Fire and EMS
Mr. Joe Horbal,
Commissioner of Revenue
Mr. H. Edward James,
Dir., Purchasing
Mr. Donald Kappel, Dir.,
Public Affairs
Ms. Mary Lou Lyle, Dir.,
Accounting
Mr. R. John McCracken,
Dir., Transportation
Mr. Richard M. McElfish,
Dir., Env. Engineering
Mr. Steven L. Micas,
County Attorney
Mr. Francis Pitaro, Dir.,
General Services
Ms. Sarah Snead, Dir.,
Social Services
Mr. James J. L. Stegmaier,
Deputy Co. Admin.,
Management Services
Mr. Kirk Turner, Dir.,
Planning
Mr. Scott Zaremba, Asst.
Dir., Human Resource
Management

Mr. Ramsey called the regularly scheduled meeting to order at 3:03 p.m.

1. ORGANIZATIONAL MEETING

1.A. ELECTION OF CHAIRMAN AND VICE CHAIRMAN

Mr. Ramsey stated the first order of business would be the election of Chairman. He then opened the floor for nominations.

Mr. Sowder nominated Mr. Miller to serve as Chairman for 2007.

Mrs. Humphrey made a motion for the Board to close the nominations.

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

The vote on election of Mr. Miller as Chairman of the Board of Supervisors for 2007 was as follows:

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

Mr. Miller was elected as Chairman.

Mr. Ramsey congratulated Mr. Miller on being elected as Chairman for 2007.

Mr. Miller then opened the floor for nominations for Vice Chairman.

Mr. King nominated Mrs. Humphrey to serve as Vice Chairman for 2007.

Mr. Miller seconded the nomination.

Mr. King made a motion, seconded by Mr. Miller, for the Board to close the nominations.

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

The vote on election of Mrs. Humphrey as Vice Chairman of the Board of Supervisors for 2007 was as follows:

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

Mrs. Humphrey was elected as Vice Chairman.

Mr. Miller expressed appreciation to Mr. King for his exemplary leadership during 2006 and thanked the Board members for their support and confidence by electing him Chairman for 2007. He then made the following remarks as the newly elected Chairman of the Board of Supervisors:

I shall endeavor to do the best I can to represent this Board in every way that I am called upon to do. It will be a challenging year, but with challenges come many

opportunities. I can see a number of them in the horizon. The first one that I would see is our continued efforts to work on our growth policies. I believe that we cannot continue to turn a blind eye to that which is obvious - business as usual in the growth area, I am not sure we can continue; we've got to do a better job. While we've kept our growth rate at a very reasonable 2.5 or 2.6 percent, I would submit that we may need to rethink some of those initiatives that we sent down to the Planning Commission out of our growth summit several years ago, and let's take another look at some of those. The concomitant issue that goes with growth, of course, is transportation, and that's illumining bigger and bigger as an issue for our county. It's unfortunate that it appears that our General Assembly, and I'm not placing the blame on any particular section or group, they have decided it appears that they're going to transfer more and more responsibility of transportation to the localities. I have said repeatedly, I believe that the state has a responsibility pursuant to the Byrd Road Act of 1932, and that it's almost a breach of faith, if not something more, to transfer that responsibility to the counties at this hour at this time in our history; but, we have to play the hand that's dealt us. If it be our lot that we shall have to do more, we can do that. So, with the transportation, we should, and I believe we will. Out of our transportation summit, we have a number of initiatives that we have discussed, and I would certainly be in a position and I hope that the Board will be, to seriously consider if not all of them, most of them. There are many things that we can do. It won't be easy. There will be many people who will not want to go along, one way or the other. I recognize there are vested interests in all aspects. We have our developers' interests; we have our citizens' interests; we have our business interest; but, we cannot, and I repeat, we cannot, and should not neglect our responsibilities as a Board to provide the best transportation that we can under the circumstances, road system to our citizens. Thirdly, if not always first with me, is our financial - how we adopt our budgets and how we handle the taxpayers' resources. We have pledged ourselves to be exemplary stewards of the taxpayers' monies. That is a promise we make to them every year. We should continue to do our every best of that. I'm not too sure where our assessments will be and reassessments, but I suspicion they're going to be extremely high. We did a three-cent reduction last year. I would be hoping that we can do at least five or six cents this year. I will be looking for that. We may need to divert some of our savings of taxpayers to transportation, and I believe that we are prepared, I hope we are prepared, to do what's necessary there. Business - I would hope that we would continue to build on the successes that Mr. King and others of us on this Board, did last year. We need to work on not only getting good business for our county, but rather, we should also strive always to do the best service that we can to serve our existing business community, whether that be small or large, and then, there is always the issue of criticisms of this Board. We've heard it before, we'll hear it again many times, but we should never allow ourselves to be diverted from what our citizens elected us to do. We should put aside any of our personal differences, personality or political, and work as a team, and I believe we will do that. The people up here who will use the opportunity to criticize perhaps, not so much in good faith, they will always be with

us, and I'm not going to allow myself to be bothered by that. There are those who have good ideas. We should be receptive to those. We should always be open and willing to do that. So, I'm not going to talk a whole lot. I think we know what our course is. I think we know what we've got to do. I would ask that we each pledge ourselves to do our very level best, putting all other considerations aside, and having said that, I'm ready now, Madam Clerk, let's go.

1.B. CONSIDERATION OF BOARD APPOINTMENTS

Mr. Miller stated he is ready to make a motion for the Board to approve the entire slate of appointments, with one addition. He further stated, historically, elected Board members have always served on the Capital Region Airport Commission until Mr. Barber had Mr. Daniel Gecker appointed to fill his place.

Mr. Miller then made a motion for the Board to rescind the appointment of Mr. Daniel Gecker and appoint Mr. R. M. "Dickie" King, Jr. to serve on the Capital Region Airport Commission, whose term is effective immediately and expires December 31, 2007.

Mr. King seconded the motion.

Mr. Warren inquired whether Mr. Gecker had been informed of this action.

Mr. Miller stated Mr. Gecker would be informed, indicating that the rationale for his motion is that Board members have historically always served on the Airport Commission rather than non-Board members.

Mr. Miller then called for a vote on his motion, seconded by Mr. King, for the Board to rescind the appointment of Mr. Daniel Gecker and appoint Mr. R. M. "Dickie" King, Jr. to serve on the Capital Region Airport Commission.

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

o RICHMOND METROPOLITAN CONVENTION AND VISITORS BUREAU (RMCVB)

On motion of Mr. Miller, seconded by Mr. King, the Board appointed Mr. Donald Sowder to serve on the Richmond Metropolitan Convention and Visitors Bureau, whose term is effective January 1, 2007 and expires December 31, 2007.

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

o TRI-CITIES AREA METROPOLITAN PLANNING ORGANIZATION (CRATER MPO)

On motion of Mr. Miller, seconded by Mr. King, the Board reappointed Mrs. Renny Bush Humphrey to serve on the Tri-Cities Area Metropolitan Planning Organization, whose term is effective January 1, 2007 and expires December 31, 2007.

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

o **MAYMONT FOUNDATION**

On motion of Mr. Miller, seconded by Mr. King, the Board appointed Mr. Donald Sowder to serve on the Maymont Foundation, whose term is effective January 1, 2007 and expires December 31, 2007.

Ayes: Miller, Humphrey, King, Sowder and Warren.
Nays: None.

o **ARTS AND CULTURAL FUNDING CONSORTIUM**

On motion of Mr. Miller, seconded by Mr. King, the Board reappointed Ms. Susan Stuller, representing the county at-large, to serve on the Arts and Cultural Funding Consortium, whose term is effective January 1, 2007 and expires December 31, 2008.

Ayes: Miller, Humphrey, King, Sowder and Warren.
Nays: None.

o **SOUTH CENTRAL WASTEWATER AUTHORITY**

On motion of Mr. Miller, seconded by Mr. King, the Board reappointed Mr. Lane Ramsey and Mr. Roy Covington (Alternate) to serve on the South Central Wastewater Authority, whose terms are effective January 1, 2007 and expire December 31, 2007.

Ayes: Miller, Humphrey, King, Sowder and Warren.
Nays: None.

Mr. Miller confirmed the following appointments:

o **BUDGET AND AUDIT COMMITTEE**

Mr. King and Mr. Miller (unspecified term)

o **COUNTY EMPLOYEE BENEFITS COMMITTEE**

Mr. Warren and Mrs. Humphrey (unspecified term)

o **COALITION OF HIGH GROWTH COMMUNITIES**

Mr. Warren (unspecified term)

1.C. **ADOPTION OF PROCEDURES OF THE BOARD OF SUPERVISORS GOVERNING MEETINGS IN 2007**

Mr. Micas stated staff is recommending three changes to the Board's procedures - clarify that Roberts Rules of Order is used as a guide; move the evening session from 7 p.m. until 6:30 p.m.; and provide that if a majority of the Board does not come back after the November election, then all zoning cases would be deferred to the next Board of Supervisors.

After brief discussion, Mr. Micas stated the 3 p.m. start time for the afternoon session will be noted in the procedures as well.

On motion of Mr. Sowder, seconded by Mr. King, the Board adopted the Procedures of the Board of Supervisors Governing Meetings for 2007, as amended. (It is noted a copy of the 2007 Procedures of the Board of Supervisors is filed with the papers of this Board.)

Ayes: Miller, Humphrey, King, Sowder and Warren.
Nays: None.

1.D. SETTING OF REGULAR MEETING DATES FOR 2007

On motion of Mr. King, seconded by Mr. Miller, the Board adopted the regular meeting date schedule for 2007, as follows:

January 10, 2007 at 3:00 p.m.
January 24, 2007 at 3:00 p.m.

February 14, 2007 at 3:00 p.m.
February 28, 2007 at 3:00 p.m.

March 12, 2007 at 6:00 p.m.
March 14, 2007 at 3:00 p.m.
March 28, 2007 at 3:00 p.m.

April 11, 2007 at 3:00 p.m.
April 25, 2007 at 3:00 p.m.

May 23, 2007 at 3:00 p.m.

June 27, 2007 at 3:00 p.m.

July 25, 2007 at 3:00 p.m.

August 22, 2007 at 3:00 p.m.

September 26, 2007 at 3:00 p.m.

October 10, 2007 at 3:00 p.m.
October 24, 2007 at 3:00 p.m.

November 14, 2007 at 3:00 p.m.
November 28, 2007 at 3:00 p.m.

December 19, 2007 at 3:00 p.m.

Special Meeting Dates for 2007

Special Budget Work Session - March 12, 2007 at 6:00 p.m. -
Public Meeting Room

Budget Public Hearing - March 28, 2007 at 6:30 p.m. - Public
Meeting Room

Ayes: Miller, Humphrey, King, Sowder and Warren.
Nays: None.

2. APPROVAL OF MINUTES FOR DECEMBER 13, 2006

On motion of Mrs. Humphrey, seconded by Mr. Sowder, the Board approved the minutes of December 13, 2006, as submitted.

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

3. COUNTY ADMINISTRATOR'S COMMENTS

O RICHMOND SPORTS BACKERS PRESENTATION

Mr. Ramsey stated Richmond Sports Backers was recently named best sports commission in the country by the National Association of Sports Commissions. He then introduced Mr. Jon Lugbill to update the Board regarding activities of the organization in Chesterfield.

Mr. Lugbill provided details of 11 events that took place or parts of the events took place in the county last year, which involved 90,000 spectators or participants, with an estimated \$21 million economic impact. He then introduced Jeff Fitch to provide an overview of health benefits and youth programs.

Mr. Fitch stated the county residents who participate in the Monument Avenue 10K and the Richmond Marathon train at local YMCA's. He further stated the Fit for Life Youth Fitness Program partners with county schools to target the growing epidemic of childhood and youth obesity. He stated the Sports Backers partnered with the Richmond Times-Dispatch to recognize student athletes and provided more than \$10,000 in scholarships to Chesterfield County senior athletes. He further stated at the strategic planning session held in the summer, Richmond Sports Backers' staff and board were challenged to double the impact that the organization has accomplished over the past five years, as measured by the number of events offered, as well as the economic development impact. He stated the organization would like to work with Mr. Ramsey and Board members to develop a multi-year funding strategy to help the organization achieve its goals.

Mr. Miller thanked Mr. Lugbill and Mr. Fitch for the informative presentation.

Mr. Ramsey commended Mr. Lugbill for providing a report to the county following each Sports Backers event, outlining the room nights in Chesterfield hotels as a result of the event.

4. BOARD COMMITTEE REPORTS

Mr. Sowder expressed concerns that he recently was made aware at a community meeting that Chesterfield's SAT scores were below the state and national average.

Mr. Warren stated it would be helpful if the Superintendent of Schools would provide the Board with an explanation regarding the SAT scores issue.

5. REQUESTS TO POSTPONE ACTION, ADDITIONS, OR CHANGES IN THE ORDER OF PRESENTATION

There were no requests to postpone action, additions, or changes in the order of presentation at this time.

6. RESOLUTIONS AND SPECIAL RECOGNITIONS

There were no resolutions or special recognitions at this time.

7. WORK SESSIONS

There were no work sessions at this time.

8. DEFERRED ITEMS

O STREETLIGHT INSTALLATION COST APPROVALS

On motion of Mr. Warren, seconded by Mrs. Humphrey, the Board approved the following streetlight installation in the Clover Hill District:

- In the Southport Business Park, on Research Road, in the vicinity of 720, on the existing pole
Cost to install streetlight: \$210.39

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

9. NEW BUSINESS

9.A. STREETLIGHT INSTALLATION COST APPROVALS

Mr. Sowder stated he would like to discuss the Midlothian District streetlight request separately.

After brief discussion, Mrs. Humphrey made a motion, seconded by Mr. Warren, for the Board to approve the streetlight installation requests in the Matoaca, Clover Hill and Bermuda Districts.

Mr. Warren expressed concerns that streetlight installation costs are increasing.

Mr. McElfish stated the design costs are fairly consistent, but the installation costs vary, depending upon the underground utilities and other existing things in the area.

Mr. Miller called for a vote on the motion of Mrs. Humphrey, seconded by Mr. Warren, for the Board to approve the following streetlight installations:

Bermuda District

- In the Fan Court Subdivision, on Cliff Lawn Drive, in the vicinity of 11525 on the existing pole
Cost to install streetlight: \$449.44

Clover Hill District

- In the Southport Business Park:
 - o On Research Road, Pole NB-43
Cost to install streetlight: \$103.48
 - o At the intersection of Branchway Road and Business Center Drive
Cost to install streetlight: \$1,349.53
 - o At the intersection of Research Road and Trade Road
Cost to install streetlight: \$616.44

Matoaca District

- At the dead-end of Laurel Road
Cost to install streetlight: \$154.24
- Chesterfield Plaza, in the vicinity of 20811, on pole QH-96
Cost to install streetlight: \$240.03
- In the Brandy Oaks Subdivision:
 - o At the intersection of Marshall Pointe Trail and Walkmill Reach Trail
Cost to install streetlight: \$1,865.13
 - o At the intersection of Walke Pointe Way and Walkmill Reach Trail
Cost to install streetlight: \$350.88
 - o At the intersection of Meredith Pointe Way and Walkmill Reach Trail
Cost to install streetlight: \$4,362.63
 - o In the cul-de-sac of Marshall Pointe Trail, vicinity of 13312
Cost to install streetlight: \$1,447.63

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

Mr. Sowder stated the streetlight request on Elkhardt Road does not meet the minimum standards and the location is not a safety hazard; therefore, he does not believe it should be the taxpayers' responsibility to provide the streetlight at this location.

Mr. Sowder then made a motion, seconded by Mr. Warren, for the Board to deny the following streetlight request:

Midlothian District

- Elkhardt Road, in the vicinity of 8200, on the existing pole
Cost to install streetlight: \$606.71

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

9.B. CONSENT ITEMS

On motion of Mr. King, seconded by Mrs. Humphrey, the Board removed Item 9.B.11., Acceptance of Right of Way and Approval of the Purchase of Land for Pohwite Parkway Extended, from the Consent Agenda for public comment.

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

9.B.1. ADOPTION OF RESOLUTIONS

9.B.1.a. RESOLUTION RECOGNIZING LIEUTENANT DARRELL C. VAUGHN, CHESTERFIELD FIRE AND EMERGENCY MEDICAL SERVICES DEPARTMENT, UPON HIS RETIREMENT

On motion of Mr. Warren, seconded by Mr. King, the Board adopted the following resolution:

WHEREAS, Lieutenant Darrell Craig "Catfish" Vaughn retired from the Fire and Emergency Medical Services Department, Chesterfield County, on November 1, 2006; and

WHEREAS, Lieutenant Vaughn attended Recruit School #8 in 1977 and has faithfully served the county for twenty-nine years in various assignments; as a Firefighter at the Bon Air, Manchester, and Dutch Gap Fire and EMS Stations; and

WHEREAS, Lieutenant Vaughn was promoted to Sergeant in 1986 and later reclassified to Lieutenant and served in these capacities at the Dutch Gap, Centralia Road and Matoaca Fire and EMS Stations, and

WHEREAS, Lieutenant Vaughn served as a dedicated member of the Scuba Rescue Team since 1981 and the department's Technical Rescue Team since its inception; and

WHEREAS, Lieutenant Vaughn saved the life of a citizen while off duty at Lake Chesdin, by rescuing a drowning victim on the bottom of the lake and administering rescue breathing; and

WHEREAS, Lieutenant Vaughn was recognized with Emergency Medical Services awards for his actions in saving the lives of citizens involved in motor vehicle accidents in October 1993, November 2002, and October 2004; and

WHEREAS, Lieutenant Vaughn was recognized with Emergency Medical Services awards for his role in saving the life of a child in respiratory arrest in May 2002, and for his role in saving the life of a citizen in cardiac arrest in June 2003; and

WHEREAS, Lieutenant Vaughn was recognized for his actions on April 11, 1998 with an Emergency Medical Services award in the successful rescue of three patients from an overturned canoe in the Appomattox River; and his actions in the August 30, 2004 rescue of three victims trapped by floodwaters during Tropical Storm Gaston.

NOW, THEREFORE BE IT RESOLVED that the Chesterfield County Board of Supervisors recognizes the contributions of

Lieutenant Darrell Craig Vaughn, expresses the appreciation of all residents for his service to the county, and extends appreciation for his dedicated service and congratulations upon his retirement.

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

9.B.1.b. RECOGNIZING MAYOR J. CHRIS KOLLMAN III, CITY OF COLONIAL HEIGHTS, FOR HIS OUTSTANDING LEADERSHIP IN THE CITY OF COLONIAL HEIGHTS AND THE REGION

On motion of Mr. Warren, seconded by Mr. King, the Board adopted the following resolution:

WHEREAS, Chesterfield County values its strong and mutually beneficial relationship with the City of Colonial Heights; and

WHEREAS, Mr. J. Chris Kollman III has been a noteworthy leader in the City of Colonial Heights since being elected to City Council in 1976; and

WHEREAS, in addition to his service on the City Council, Mr. Kollman served two terms as mayor and two terms as vice-mayor; and

WHEREAS, Mr. Kollman proudly served his country in the U. S. Army before that; and

WHEREAS, Mr. Kollman's leadership and dedication to public service has left the City of Colonial Heights, and the Tri-Cities, a better place; and

WHEREAS, as Mayor, Mr. Kollman worked diligently on innumerable civic and school improvements, economic development, city beautification projects and other efforts that will leave the mark of his positive leadership on the city for many years to come; and

WHEREAS, among the many notable accomplishments he helped bring to fruition are Southpark Mall, the Colonial Heights Library, the Government Center, renovation of the old City Hall Building for use by Public Safety, and more; and

WHEREAS, Mayor Kollman also served on such varied organizations as the Transportation Safety Commission, the Youth Services Commission, the Chesterfield-Colonial Heights Board of Social Services, the Governor's Northern Virginia Base Realignment and Closure Working Group, the Juvenile and Domestic Violence Task Force and the Virginia Fire Services Board; and

WHEREAS, Mayor Kollman has decided not to seek an eighth term on the Colonial Heights City Council, and will be missed by his many friends and professional acquaintances; and

WHEREAS, it is appropriate to recognize Mayor Kollman for his exceptional public service.

NOW, THEREFORE, BE IT RESOLVED that the Chesterfield County Board of Supervisors recognizes Mayor J. Chris Kollman

for his outstanding leadership in the City of Colonial Heights and the region, for the many contributions he has made to the overall quality of life in the region, and extends to Mayor Kollman and his family best wishes for continued happiness and success.

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

**9.B.1.c. RECOGNIZING MR. MICHAEL GLENN SEPELYAK UPON
ATTAINING RANK OF EAGLE SCOUT**

On motion of Mr. Warren, seconded by Mr. King, the Board adopted the following resolution:

WHEREAS, the Boy Scouts of America was incorporated by Mr. William D. Boyce on February 8, 1910, and was chartered by Congress in 1916; and

WHEREAS, the Boy Scouts of America was founded to build character, provide citizenship training and promote physical fitness; and

WHEREAS, after earning at least twenty-one merit badges in a wide variety of skills including leadership, service and outdoor life, serving in a leadership position in a troop, carrying out a service project beneficial to his community, being active in the troop, demonstrating Scout spirit, and living up to the Scout Oath and Law; and

WHEREAS, Mr. Michael Glenn Sepelyak, Troop 806, sponsored by Woodlake United Methodist Church, has accomplished those high standards of commitment and has reached the long-sought goal of Eagle Scout, which is earned by only four percent of those individuals entering the Scouting movement; and

WHEREAS, growing through his experiences in Scouting, learning the lessons of responsible citizenship, and endeavoring to prepare himself for a role as a leader in society, Michael has distinguished himself as a member of a new generation of prepared young citizens of whom we can all be very proud.

NOW, THEREFORE, BE IT RESOLVED that the Chesterfield County Board of Supervisors recognizes Mr. Michael Glenn Sepelyak, extends congratulations on his attainment of Eagle Scout, and acknowledges the good fortune of the county to have such an outstanding young man as one of its citizens.

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

**9.B.1.d. RECOGNIZING MS. SHEILA DIANE HOWARD, DEPARTMENT OF
SOCIAL SERVICES, UPON HER RETIREMENT**

On motion of Mr. Warren, seconded by Mr. King, the Board adopted the following resolution:

WHEREAS, Ms. Sheila Diane Howard began her career in public social services 21 years ago and has served the county

in the field of Child Welfare, Family and Adult Services since January 5, 1987; and

WHEREAS, in her role as social worker, Ms. Howard has worked diligently with individuals, families, and the community to provide advocacy and excellent services that protect the well-being of families, adults, and people with disabilities; and

WHEREAS, Ms. Howard has dedicated her professional career to enhancing the quality of life for individuals, families and adults while offering supportive services, helping citizens to resolve their emergency needs, and treating each and every individual with respect and dignity; and

WHEREAS, throughout her career, Ms. Howard has served on several committees, task forces and department goal groups, and actively participated in the Better Beginnings Coalition, the Safe Place Lifeline Committee, and the Pregnancy Prevention Coalition; and

WHEREAS, Ms. Howard was the first Placement Diversion Specialist to work in the Child Protective Services ongoing unit; and

WHEREAS, Ms. Howard was instrumental in the development and formation of the Service Intake Unit and was an exemplary team member; and

WHEREAS, Ms. Howard has been a diligent social worker who was committed to the vision, mission and values of the department; and

WHEREAS, Ms. Howard has been a role model of teamwork and professionalism for her colleagues in and outside of Chesterfield County.

NOW, THEREFORE, BE IT RESOLVED that the Chesterfield County Board of Supervisors recognizes the outstanding contributions of Ms. Sheila Diane Howard, expresses the appreciation of all residents for her service to the county, and offers congratulations upon her retirement.

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

9.B.2. SET DATE FOR PUBLIC HEARINGS

9.B.2.a. TO CONSIDER LEASE OF HANGAR SPACE TO THE DRUG ENFORCEMENT ADMINISTRATION

On motion of Mr. Warren, seconded by Mr. King, the Board set the date of February 14, 2007 at 6:30 p.m. for a public hearing for the Board to consider lease of hangar space to the Drug Enforcement Administration ("DEA").

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

9.B.2.c. TO CONSIDER PROPOSED AMENDMENTS TO SECTION 19-514 OF THE CODE OF THE COUNTY OF CHESTERFIELD, 1997, AS AMENDED, PERTAINING TO DESIGN STANDARDS FOR OFFSTREET PARKING

On motion of Mr. Warren, seconded by Mr. King, the Board set the date of February 14, 2007 at 6:30 p.m. for a public hearing for the Board to consider proposed amendments to Section 19-514 of the County Code relating to design standards for offstreet parking.

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

9.B.2.d. TO CONSIDER COMCAST'S PROPOSED RATE INCREASES

On motion of Mr. Warren, seconded by Mr. King, the Board set the date of January 24, 2007 at 6:30 p.m. for a public hearing for the Board to consider Comcast's proposed rate increases.

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

9.B.2.e. TO CONSIDER ADOPTION OF AN ORDINANCE ESTABLISHING A SPECIAL ASSESSMENT FOR THE WATKINS CENTRE COMMUNITY DEVELOPMENT AUTHORITY AND APPROVAL OF A MEMORANDUM OF UNDERSTANDING WITH THE WATKINS CENTRE COMMUNITY DEVELOPMENT AUTHORITY REGARDING THE FINANCING OF CERTAIN INFRASTRUCTURE

On motion of Mr. Warren, seconded by Mr. King, the Board set the date of January 24, 2007 at 6:30 p.m. for a public hearing for the Board to consider 1) adoption of an ordinance establishing a special assessment for the Watkins Centre Community Development Authority; and 2) approval of a Memorandum of Understanding between the Board of Supervisors, the Watkins Centre CDA and owners of property within the CDA District.

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

9.B.3. ACCEPTANCE OF PARCELS OF LAND

9.B.3.a. ALONG THE WEST RIGHT OF WAY LINE OF JEFFERSON DAVIS HIGHWAY FROM AFFORDABLE RESIDENCES IN CHESTERFIELD, II

On motion of Mr. Warren, seconded by Mr. King, the Board accepted the conveyance of a parcel of land, containing 0.022 acres, along the west right of way line of Jefferson Davis Highway (US Route 1 and 301) from Affordable Residences in Chesterfield, II, and authorized the County Administrator to execute the lease. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

**9.B.3.b. ALONG THE SOUTH RIGHT OF WAY LINE OF HULL STREET
ROAD FROM THE TRUSTEES OF WOODLAKE UNITED METHODIST
CHURCH**

On motion of Mr. Warren, seconded by Mr. King, the Board accepted the conveyance of a parcel of land, containing 0.430 acres, along the south right of way line of Hull Street Road (State Route 360) from the Trustees of Woodlake United Methodist Church, and authorized the County Administrator to execute the deed. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Miller, Humphrey, King, Sowder and Warren.
Nays: None.

**9.B.3.c. ALONG THE NORTH RIGHT OF WAY LINE OF RIVER ROAD
FROM BANK OF MCKENNEY**

On motion of Mr. Warren, seconded by Mr. King, the Board accepted the conveyance of three parcels of land, containing a total of 0.003 acres, along the north right of way line of River Road from Bank of McKenney, and authorized the County Administrator to execute the deed. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Miller, Humphrey, King, Sowder and Warren.
Nays: None.

9.B.3.d. FOR A TURN LANE ON OTTERDALE ROAD

9.B.3.d.1. FROM OAKBRIDGE CORPORATION

On motion of Mr. Warren, seconded by Mr. King, the Board accepted the conveyance of a parcel of land, containing 0.117 acres, for a turn lane on Otterdale Road from Oakbridge Corporation, and authorized the County Administrator to execute the deed. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Miller, Humphrey, King, Sowder and Warren.
Nays: None.

9.B.3.d.2. FROM J. MARK SOWERS AND DEBORAH K. SOWERS

On motion of Mr. Warren, seconded by Mr. King, the Board accepted the conveyance of two parcels of land, containing a total of 0.246 acres, for turn lanes on Otterdale Road from J. Mark Sowers and Deborah K. Sowers, and authorized the County Administrator to execute the deed. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Miller, Humphrey, King, Sowder and Warren.
Nays: None.

**9.B.3.e. ALONG THE WEST RIGHT OF WAY LINE OF JEFFERSON DAVIS
HIGHWAY FROM RICHMOND AFFORDABLE HOUSING**

On motion of Mr. Warren, seconded by Mr. King, the Board accepted the conveyance of two parcels of land, containing 0.096 acres, along the west right of way line of Jefferson Davis Highway (US Route 1 and 301) from Richmond Affordable Housing, and authorized the County Administrator to execute the deed. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

**9.B.4. AWARD OF CONSTRUCTION CONTRACT TO M AND W
CONSTRUCTION CORPORATION FOR THE RIVER ROAD PUMPING
STATION PROJECT**

On motion of Mr. Warren, seconded by Mr. King, the Board awarded a construction contract for County Project #05-0150, River Road Pumping Station, to M and W Construction Corporation, in the amount of \$5,095,831; transferred \$2,400,000 from 5H-58350-050147E to 5H-58350-050150E; and authorized the County Administrator to execute the necessary documents.

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

**9.B.5. APPROVAL OF CHANGE ORDER NUMBER FIVE FOR THE BAILEY
BRIDGE PUMP STATION PROJECT**

On motion of Mr. Warren, seconded by Mr. King, the Board approved Change Order Number Five for Contract #01-0198, Bailey Bridge Pump Station Project, in the amount of \$146,668.72, and authorized the County Administrator to execute the necessary documents.

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

9.B.7. REQUESTS FOR PERMISSION

**9.B.7.a. FROM WILLIAM J. AND LINDA S. KOFRON TO INSTALL A
PRIVATE WATER SERVICE WITHIN A PRIVATE EASEMENT TO
SERVE PROPERTY ON RIVER ROAD**

On motion of Mr. Warren, seconded by Mr. King, the Board approved a request from William J. Kofron and Linda S. Kofron for permission to install a private water service within a private easement to serve property at 6402 River Road, and authorized the County Administrator to execute the water connection agreement. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

9.B.7.b. FROM ROSALIND BLAKES TO CONSTRUCT A FIFTEEN-FOOT GRAVEL DRIVEWAY WITHIN A FIFTY-FOOT UNIMPROVED COUNTY RIGHT OF WAY

On motion of Mr. Warren, seconded by Mr. King, the Board approved a request from Rosalind Blakes for permission to construct a 15-foot gravel driveway within a 50-foot unimproved county right of way, subject to the execution of a license agreement. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

9.B.7.c. FROM PAUL AND JENNIFER MANTHA FOR A PROPOSED FENCE TO ENCROACH WITHIN A SIXTEEN-FOOT DRAINAGE EASEMENT ACROSS LOT 10, HAMPTON PARK, SECTION 23

On motion of Mr. Warren, seconded by Mr. King, the Board approved a request from Paul Mantha and Jennifer Mantha for permission for a proposed fence to encroach within a 16-foot drainage easement across Lot 10, Hampton Park, Section 23, subject to the execution of a license agreement. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

9.B.7.d. FROM JAMES C. MULLENAUX FOR A PROPOSED FENCE TO ENCROACH WITHIN AN EIGHT-FOOT EASEMENT ACROSS LOT 83, WALNUT GROVE, SECTION 1

On motion of Mr. Warren, seconded by Mr. King, the Board approved a request from James C. Mullenau for permission for a proposed fence to encroach within an 8-foot easement across Lot 83, Walnut Grove, Section 1, subject to the execution of a license agreement. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

9.B.8. DESIGNATION OF RIGHT OF WAY FOR THE EXTENSION OF LAKE CHESDIN PARKWAY

On motion of Mr. Warren, seconded by Mr. King, the Board designated right of way for the execution of Lake Chesdin Parkway and authorized the County Administrator to execute the Declaration. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

9.B.9. REQUEST TO QUITCLAIM A TEMPORARY REDUCED IMPERVIOUSNESS BEST MANAGEMENT PRACTICE EASEMENT ACROSS THE PROPERTY OF SILVER CREEK DEVELOPMENT COMPANY

On motion of Mr. Warren, seconded by Mr. King, the Board authorized the Chairman of the Board of Supervisors and the County Administrator to execute a quitclaim deed to vacate a temporary reduced imperviousness best management practice easement across the property of Silver Creek Development Company. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Miller, Humphrey, King, Sowder and Warren.
Nays: None.

9.B.10. REQUEST TO VACATE AND REDEDICATE TEN-FOOT TEMPORARY CONSTRUCTION AND SIXTEEN-FOOT WATER EASEMENTS ACROSS THE PROPERTY OF TARGET CORPORATION FORMERLY KNOWN AS DAYTON HUDSON CORPORATION

On motion of Mr. Warren, seconded by Mr. King, the Board authorized the Chairman of the Board of Supervisors and the County Administrator to execute an agreement to vacate and rededicate 10-foot and 16-foot water easements across the property of Target Corporation formerly known as Dayton Hudson Corporation. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Miller, Humphrey, King, Sowder and Warren.
Nays: None.

The following items were removed from the Consent Agenda for Board discussion:

9.B.2.b. TO CONSIDER PROPOSED AMENDMENTS TO SECTION 19-638 OF THE CODE OF THE COUNTY OF CHESTERFIELD, 1997, AS AMENDED, PERTAINING TO BANNERS

Mr. King inquired whether the Chamber of Commerce had been consulted regarding the proposed amendments.

Mr. Turner stated the Chamber of Commerce has not been consulted. He further stated the proposed amendments deal specifically with banners for church uses only.

In response to Mr. Miller's question, Mr. Turner stated the amendments will expand church use of banners.

On motion of Mr. King, seconded by Mr. Warren, the Board set the date of February 14, 2007 at 6:30 p.m. for a public hearing for the Board to consider proposed amendments to Section 19-638 of the County Code pertaining to banners.

Ayes: Miller, Humphrey, King, Sowder and Warren.
Nays: None.

9.B.6. RESCHEDULING OF DEFERRED PUBLIC HEARING ON AMENDMENTS TO WATER QUALITY STANDARDS IN THE UPPER SWIFT CREEK WATERSHED

Mr. Warren requested that the County Administrator or Chairman inform all interested groups, including homeowners associations, developers and environmental groups of the rescheduled public hearing.

Mr. Miller directed Mr. Ramsey to inform the groups of the new public hearing date.

On motion of Mr. Warren, seconded by Mr. King, the Board rescinded its prior action deferring the public hearing on amendments to water quality standards in the Upper Swift Creek Watershed until March 14, 2007 and directed staff to re-advertise a public hearing on the proposed water quality amendments for the Upper Swift Creek Watershed on February 14, 2007 at 6:30 p.m.

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

9.B.12. DECLARE A PARCEL OF LAND SURPLUS AND OFFER FOR SALE

Mr. Warren stated he informed the Bexley Association of the fact that this parcel of land is for sale, and they are not opposed to sale of the property.

In response to Mr. Warren's questions, Mr. Harmon stated the lot falls under the Bexley covenants and does not meet the minimum width or square footage to constitute a buildable lot.

Mr. Warren requested that staff notify the Bexley Homeowners Association of the new owner of the lot, with mailing address, once the sale is complete.

On motion of Mr. Warren, seconded by Mr. King, the Board declared a .190-acre parcel of land on Walhala Drive surplus property, and directed that the property be offered for sale by sealed bids. (It is noted that the agenda item incorrectly identified the parcel as having .90 acre; however, the plat included with the agenda item accurately identified the parcel.)

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

The following item was removed from the Consent Agenda for public comment:

9.B.11. ACCEPTANCE OF RIGHT OF WAY AND APPROVAL OF THE PURCHASE OF LAND FOR POWHITE PARKWAY EXTENDED

Mr. George Beadles expressed concerns relative to the length of time it has taken since Magnolia Green was approved for this land to be purchased for the Powhite Parkway Extension. He stated he hopes it does not take another 20 years before the road is extended.

No one else came forward to speak to the issue.

On motion of Mr. King, seconded by Mrs. Humphrey, the Board accepted the dedication of 64.417 acres, more or less, and approved the purchase of 89.344 acres, more or less, for Powhite Parkway Extended, at a cost of \$26,000 per acre, from Salvatore J. Cangiano and Magnolia Green Development, LLC, and authorized the County Administrator to execute the contracts and deeds. (It is noted copies of the plats are filed with the papers of this Board.)

Ayes: Miller, Humphrey, King, Sowder and Warren.
Nays: None.

10. REPORTS

10.A. REPORT ON DEVELOPER WATER AND SEWER CONTRACTS

10.B. REPORT ON STATUS OF GENERAL FUND BALANCE, RESERVE FOR FUTURE CAPITAL PROJECTS, DISTRICT IMPROVEMENT FUNDS AND LEASE PURCHASES

10.C. REPORT ON ROADS ACCEPTED INTO THE STATE SECONDARY SYSTEM

On motion of Mrs. Humphrey, seconded by Mr. King, the Board approved the following reports: a Report on Developer Water and Sewer Contracts; and a Report on the Status of General Fund Balance, Reserve for Future Capital Projects, District Improvement Funds and Lease Purchases.

And, further, the following roads were accepted into the State Secondary System:

<u>ADDITION</u>	<u>LENGTH</u>
<u>Manders Drive</u> (Effective 11/21/2006)	
Manders Drive (Route 7104) - From 0.04 mile east of Charter Colony Parkway (Route 950) to Coalfield Road (Route 754)	0.23 Mi.
Manders Drive (Route 7104) - From Charter Colony Parkway (Route 950) to 0.04 mile east of Charter Colony Parkway (Route 950)	0.04 Mi.
<u>Rivers Trace, Section D</u> (Effective 11/30/2006)	
Devlin Drive (Route 4443) - From 0.16 mile south of Corte Castle Road (Route 4757) to Cul-de-sac	0.06 Mi.
Pypers Pointe Drive (Route 4756) - From Saint Audries Drive (Route 5899) to Temporary Cul-de-sac	0.04 Mi.
Pypers Pointe Drive (Route 4756) - From 0.06 mile south of Corte Castle Road (Route 4757) to Saint Audries Drive (Route 5899)	0.27 Mi.
Saint Audries Drive (Route 5899) - From Pypers Pointe Drive (Route 4756) to Temporary Cul-de-sac	0.03 Mi.

Rivers Trace, Section E
(Effective 11/30/2006)

Pypers Pointe Drive (Route 4756) - From 0.04 mile south of Saint Audries Drive (Route 5899) to Cul-de-sac 0.14 Mi.

Rivers Trace, Section F
(Effective 11/30/2006)

Saint Audries Drive (Route 5899) - From 0.03 mile west of Pypers Pointe Drive (Route 4756) to Cul-de-sac 0.17 Mi.

Stoney Glen South, Section 6
(Effective 11/27/2006)

Glenmorgan Court (Route 7106) - From Glenmorgan Drive (Route 7105) to Cul-de-sac 0.11 Mi.

Glenmorgan Drive (Route 7105) - From Woodleigh Drive (Route 5668) to Glenmorgan Court (Route 7106) 0.07 Mi.

Glenmorgan Drive (Route 7105) - From Woodleigh Drive (Route 5668) to Cul-de-sac 0.06 Mi.

Glenmorgan Drive (Route 7105) - From Glenmorgan Court (Route 7106) to Temporary end of maintenance 0.09 Mi.

Woodleigh Drive (Route 5668) - From 0.03 mile west of Dalamere Drive (Route 5868) to Glenmorgan Drive (Route 7105) 0.10 Mi.

Tarrington, Section 3
(Effective 11/20/2006)

Ashwell Drive (Route 5843) - From 0.03 mile northeast of Grendon Lane (Route 5898) to 0.38 mile northeast of Grendon Lane (Route 5898) 0.35 Mi.

Ashwell Drive (Route 5843) - From 0.35 mile northeast of Grendon Lane (Route 5898) to Sherfield Road (Route 7101) 0.04 Mi.

Ashwell Drive (Route 5843) - From Sherfield Road (Route 7101) to Temporary end of maintenance 0.01 Mi.

Langford Drive (Route 5845) - From 0.05 mile north of Markfield Drive (Route 5847) to Cul-de-sac 0.09 Mi.

Markfield Drive (Route 5847) - From 0.02 mile northwest of Langford Drive (Route 5845) to 0.07 mile northwest of Langford Drive (Route 5845) 0.07 Mi.

Riverton Ridge Drive (Route 7103) - From 0.20 mile west of Welby Drive (Route 7102) to Temporary end of maintenance 0.15 Mi.

Riverton Ridge Drive (Route 7103) - From Welby Way (Route 7102) to 0.15 mile west of Welby Drive (Route 7102) 0.15 Mi.

Riverton Ridge Drive (Route 7103) - From 0.15 mile west of Welby Drive (Route 7102) to 0.20 mile west of Welby Drive (Route 7102) 0.05 Mi.

Sherfield Road (Route 7101) - From Ashwell Drive (Route 5843) to Welby Way (Route 7102) 0.15 Mi.

Welby Way (Route 7102) - From Riverton Ridge Drive (Route 7103) to Temporary end of maintenance 0.02 Mi.

Welby Way (Route 7102) - From Sherfield Road (Route 7101) to Riverton Ridge Drive (Route 7103) 0.04 Mi.

Ayes: Miller, Humphrey, King, Sowder and Warren.
Nays: None.

11. FIFTEEN-MINUTE CITIZEN COMMENT PERIOD ON UNSCHEDULED MATTERS

Ms. Andrea Epps thanked Board members for their service during 2006. She stated Magnolia Green is looking forward to forming a beneficial partnership with the county in the coming year.

12. CLOSED SESSION PURSUANT TO SECTION 2.2-3711(A)(7), CODE OF VIRGINIA, 1950, AS AMENDED, FOR CONSULTATION WITH LEGAL COUNSEL PERTAINING TO PROBABLE LITIGATION INVOLVING A CHESTERFIELD COUNTY POLICE OFFICER

On motion of Mr. King, seconded by Mrs. Humphrey, the Board went into Closed Session pursuant to Section 2.2-3711(A)(7), Code of Virginia, 1950, as amended, for consultation with legal counsel pertaining to probable litigation involving a Chesterfield County police officer.

Ayes: Miller, Humphrey, King, Sowder and Warren.
Nays: None.

Reconvening:

On motion of Mr. King, seconded by Mr. Sowder, the Board adopted the following resolution:

WHEREAS, the Board of Supervisors has this day adjourned into Closed Session in accordance with a formal vote of the Board and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, the Virginia Freedom of Information Act effective July 1, 1989 provides for certification that such Closed Session was conducted in conformity with law.

NOW, THEREFORE BE IT RESOLVED, the Board of Supervisors does hereby certify that to the best of each member's knowledge, i) only public business matters lawfully exempted

from open meeting requirements under the Freedom of Information Act were discussed in the Closed Session to which this certification applies, and

ii) only such public business matters as were identified in the Motion by which the Closed Session was convened were heard, discussed, or considered by the Board. No member dissents from this certification.

The Board being polled, the vote was as follows:

Mr. Sowder: Aye.
Mr. King: Aye.
Mr. Warren: Aye.
Mrs. Humphrey: Aye.
Mr. Miller: Aye.

Mr. Miller welcomed back Ms. Meredith Bonny, Richmond Times-Dispatch reporter, to the Board's meeting.

13. DINNER

On motion of Mr. King, seconded by Mr. Miller, the Board recessed to the Administration Building, Room 502, for dinner.

Ayes: Miller, Humphrey, King, Sowder and Warren.
Nays: None.

Reconvening:

14. INVOCATION

Reverend Harriett Culp, Pastor of First Congregational Christian United Church of Christ, gave the invocation.

15. PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

Eagle Scout Kevin Searfoorce led the Pledge of Allegiance to the flag of the United States of America.

16. RESOLUTIONS AND SPECIAL RECOGNITIONS

16.A. RECOGNIZING THE HONORABLE R. M. "DICKIE" KING, JR., AS 2006 CHAIRMAN OF THE BOARD OF SUPERVISORS

Mr. Miller stated it has been a privilege having Mr. King as the 2006 Chairman. He further stated the year was filled with many challenges, and Mr. King has handled himself with the utmost exemplary dignity and represented the Board steadfastly. He stated any recognition that he receives will be far less than what he deserves.

On motion of the Board, the following resolution was adopted:

WHEREAS, the Honorable R. M. "Dickie" King, Jr., Supervisor representing the Bermuda District, served as Chairman of the Board of Supervisors from January 2006 to December 2006, and during this period, demonstrated outstanding leadership through many challenges and opportunities confronting the county, including reducing the real estate tax rate to \$1.04 (from \$1.07), this being the largest decrease in the tax rate in 26 years; adopting the first total budget to break the \$1 billion mark; continuing expansion of real estate tax relief for the elderly and disabled; eliminating the county's vehicle decal; adoption of public comment periods during the afternoon and evening sessions of all Board meetings; leading the Board through a difficult period during the replacement of the Supervisor for the Midlothian District; and ending FY2006 with positive results of operations, thereby positioning the county for further tax reductions this coming year; and

WHEREAS, Mr. King demonstrated strong interest and support for business development in the county, particularly along the Jefferson Davis Corridor and all other areas of the county; guided the completion of an Efficiency Report on what is working well in the county and possible areas for improvement; and throughout his tenure as chairman was sensitive and responsive to the needs of citizens; and

WHEREAS, in July 2006, as part of a twinning relationship, Mr. King and other representatives from Chesterfield County, along with the chiefs of the eight Virginia Indian tribes journeyed to Gravesham, Kent, England, the burial site of Pocahontas, to mark the start of celebrations noting the 400th anniversary of the founding of Jamestown, Virginia, and during this visit, Mr. King addressed the participants at an emotional reconciliation that helped cement relationships among the tribes, Virginia and the United Kingdom, making this the first time that these groups have jointly celebrated the life of Pocahontas and the many contributions of Virginia's Indians; and

WHEREAS, successes under Mr. King's Chairmanship include economic development efforts such as adjusting the BPOL rate and thresholds, creating new categories to enhance business retention and recruitment, approving the rezoning of the 800-acre Watkins Centre project at Midlothian Turnpike and Route 288, installing signage and new landscaping at the entrance of Meadowville Technology Park, the ground breaking of the Northrop Grumman facility located at Meadowville Technology Park, amending the Jefferson Davis and Walthall Enterprise Zone boundaries to create new local incentives for eligible businesses, and opening of two automobile dealerships at the Walthall exit; establishing the Sustain Our Communities Committee to work on preventing blight in our neighborhoods and older business areas; holding a Transportation Summit for the Board to review proposals to address transportation needs in the county; and supporting various transportation improvements including three spot safety improvements on Bailey Bridge Road and Newby's Bridge Road, two intersection improvements on Woodpecker Road, widening of Robious Road to four lanes from Ashwell Drive to James River Road, construction of Meadowville Lane - a new industrial road to serve Northrop Grumman, widening of Route 360 westbound between Route 288 and Old Hundred Road, and safety

improvements and bridge replacement on Old Buckingham Road; and

WHEREAS, other successes under Mr. King's Chairmanship include the county maintaining its AAA rating from each of the three major bond-rating agencies; conducting the county's second Business Climate Survey and fifth Citizen Satisfaction Survey; receiving 8 NACo Achievement Awards and Public Affairs receiving 15 communication awards from NACIO; completing six major construction projects, including the replacement jail, the Community Development building, a new Police Property and Evidence Facility, the Public Safety Fire Training area, the new Hull Street Police Precinct, and beginning construction of the Fire Logistics Warehouse and Equipment Repair Facility; other accomplishments this year, including receiving designation as one of the 100 Best Communities for Young People by America's Promise - The Alliance for Youth; receiving the Diversity All Star Award from the Greater Richmond Chamber of Commerce and the Richmond Human Resource Management Association; The James River Advisory Council receiving an award by Richmond History Makers for "Fostering Regional Cooperation"; opening of the Government Center Trail at the county complex and Mount Maladay at Henricus Park; and appropriating funds to start an Employee Health Clinic to address the rising cost of health care.

NOW, THEREFORE, BE IT RESOLVED that the Chesterfield County Board of Supervisors, this 10th day of January 2007, publicly recognizes and applauds the untiring efforts displayed by its 2006 Chairman, the Honorable R. M. "Dickie" King, Jr.

AND, BE IT FURTHER RESOLVED that the Board of Supervisors hereby acknowledges Mr. King's efforts with a plaque recognizing his distinguished service from January 2006 to December 2006.

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

Mr. Miller presented the executed resolution to Mr. King and expressed appreciation, on behalf of the Board and the citizens of Chesterfield County, for his outstanding leadership.

Mr. Ramsey thanked the Board, on behalf of staff, for the time, commitment and the heart that he put into the chairmanship last year.

Mr. King stated all of the accomplishments during the year should be attributed to the entire Board, and not just himself. He expressed appreciation to his Planning Commissioner Jack Wilson, the Clerk and Deputy Clerk, staff members, and his family and friends for their support during a very challenging year.

Mr. Ramsey presented Mr. King with a plaque signifying his term as Chairman and a gift in appreciation of his service.

16.B. RECOGNIZING BOY SCOUTS UPON OBTAINING THE RANK OF EAGLE SCOUT

16.B.1. DAVID ZITZELBERGER, BERMUDA DISTRICT

16.B.2. TYLER PARHAM, BERMUDA DISTRICT

16.B.3. KEVIN SEARFOORCE, MATOACA DISTRICT

16.B.4. TRAVIS MITCHELL, MATOACA DISTRICT

16.B.5. ANDREW TOUPS, MATOACA DISTRICT

16.B.6. GRIFFIN DRAKE, MIDLOTHIAN DISTRICT

16.B.7. CHARLES KESSINGER, MIDLOTHIAN DISTRICT

Mr. Kappel introduced Mr. David Zitzelberger, Mr. Tyler Parham, Mr. Kevin Searfoorce, Mr. Travis Mitchell, Mr. Andrew Touns, Mr. Griffin Drake and Mr. Charles Kessinger, who were present to receive the resolutions.

On motion of the Board, the following resolution was adopted:

WHEREAS, the Boy Scouts of America was incorporated by Mr. William D. Boyce on February 8, 1910, and was chartered by Congress in 1916; and

WHEREAS, the Boy Scouts of America was founded to build character, provide citizenship training and promote physical fitness; and

WHEREAS, after earning at least twenty-one merit badges in a wide variety of skills including leadership, service and outdoor life, serving in a leadership position in a troop, carrying out a service project beneficial to their community, being active in the troop, demonstrating Scout spirit, and living up to the Scout Oath and Law

Mr. David Ben Zitzelberger, Troop 837, sponsored by Chester Baptist Church; Mr. Tyler Prescott Parham, Troop 877, sponsored by Chester Presbyterian Church; Mr. Griffin Meade Drake and Mr. Charles Ryan Kessinger, both of Troop 876, sponsored by Mount Pisgah United Methodist Church; and Mr. Kevin John Searfoorce, Mr. Travis Charles Mitchell and Mr. Andrew Blaine Touns, all of Troop 806, sponsored by Woodlake United Methodist Church, have accomplished those high standards of commitment and have reached the long-sought goal of Eagle Scout which is received by only four percent of those individuals entering the Scouting movement; and

WHEREAS, growing through their experiences in Scouting, learning the lessons of responsible citizenship, and endeavoring to prepare themselves for roles as leaders in society, David, Tyler, Griffin, Charlie, Kevin, Travis and Blaine have distinguished themselves as members of a new generation of prepared young citizens of whom we can all be very proud.

NOW, THEREFORE, BE IT RESOLVED that the Chesterfield County Board of Supervisors, this 10th day of January 2007, hereby extends its congratulations to Mr. David Ben Zitzelberger, Mr. Tyler Prescott Parham, Mr. Griffin Meade

Drake, Mr. Charles Ryan Kessinger, Mr. Kevin John Searfoorce, Mr. Travis Charles Mitchell and Mr. Andrew Blaine Toups, and acknowledges the good fortune of the county to have such outstanding young men as its citizens.

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

Board members presented the executed resolutions and patches to Mr. Zitzelberger, Mr. Parham, Mr. Drake, Mr. Kessinger, Mr. Searfoorce, Mr. Mitchell and Mr. Toups, accompanied by members of their families, congratulated them on their outstanding achievement, and wished them well in their future endeavors.

Each of the Eagle Scouts provided details of their Eagle Scout project and thanked their parents and others for their support.

17. PUBLIC HEARINGS

17.A. TO CONSIDER AN AMENDMENT TO SECTION 19-637 OF THE CODE OF THE COUNTY OF CHESTERFIELD RELATING TO LIMITATIONS ON SIGNS IN RESIDENTIAL AND AGRICULTURAL DISTRICTS

Mr. Micas stated in June 2006, the Circuit Court ruled that the language of the county's existing sign ordinance was not specific enough to support a conviction of violation of the sign ordinance in agricultural and residential districts. He further stated the proposed ordinance amendment will revise the language of the ordinance in order to carry out the original intent of the sign ordinance to limit the size of signs to 8 square feet and no higher than 5 feet in residential and agricultural districts. He stated the ordinance does not in any way restrict or limit the content of signs. He further stated, after holding a public hearing, the Planning Commission, by a 2-1 vote, with 1 abstention, recommended denial of the proposed amendment.

In response to Mr. Miller's question, Mr. Micas stated the ordinance permits more than one sign, the total of which cannot exceed 8 square feet.

Mr. Miller called for public comment.

Mr. C. L. Morrisette, Jr. expressed concerns relative to the number of sign violations in the county. He stated staff has indicated that they cannot address all of the sign violations and that they only act when a complaint is received. He further stated he was singled out for having an illegal sign, and he believes the proposed ordinance amendment is directed at him. He stated unless all citizens can be served equally by taking every citizen with an illegal sign to court, one person should not be singled out as a result of a complaint. He stated the Board will never be able to stop a person's freedom of speech, and he does not support the proposed ordinance amendment.

There being no one else to speak to the ordinance amendment, the public hearing was closed.

In response to Mr. Miller's question, Mr. Micas stated he has no concerns relative to constitutionality of the proposed amendment, indicating that all it does is regulate size and prevent billboard size signs in residential districts. He further stated it does not in any way restrict the message or content of the sign.

Mr. King stated he would not support this if he thought it restricted a citizen's freedom of speech. He further stated, in his opinion, the amendment is definitely not directed at Mr. Morrisette, but limiting the size of signs in residential areas. He stated the county may want to look at increasing the number of zoning inspectors to enforce illegal signs, indicating that he agrees that citizens should be treated equally.

In response to Mr. Miller's question, Mr. Micas stated the ordinance amendment does not apply to political or realtor signs, which are regulated by separate ordinances.

In response to Mr. Sowder's question, Mr. Turner stated Planning Commission members were concerned about the rights of individual citizens to express themselves and did not feel like there was a great amount of abuse; therefore, they did not feel it was important to limit the speech under the size or content of signs.

Mr. King stated Mr. Micas has indicated that the proposed amendment will absolutely in no way endanger a citizen's right to freedom of speech.

Mr. Miller stated he has always been concerned about having a reasonable ordinance to protect neighborhoods against proliferation and the size of signs. He further stated, if the County Attorney has indicated the ordinance amendment is constitutional, then he has no problem supporting it, notwithstanding the Planning Commission's position.

On motion of Mr. Miller, seconded by Mr. Warren, the Board adopted the following ordinance amendment:

AN ORDINANCE TO AMEND THE CODE OF THE COUNTY
OF CHESTERFIELD, 1997, AS AMENDED, BY AMENDING
AND RE-ENACTING SECTION 19-637 RELATING TO SIGNS

BE IT ORDAINED by the Board of Supervisors of Chesterfield County:

(1) That Section 19-637 of the Code of the County of Chesterfield, 1997, as amended, is amended and re-enacted to read as follows:

Sec. 19-637. Limitation on specific signs.

o o o

(w) Noncommercial signs, other than those specifically regulated elsewhere in this chapter or as a condition of zoning, located on residential or agriculturally zoned lots, provided that the signs do not exceed five feet in height and the total area of all signs on the lot does not exceed eight square feet.

(2) That this ordinance shall become effective immediately upon adoption.

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

17.B. TO CONSIDER CONVEYANCE OF A 3.25-ACRE PARCEL LOCATED ON REYCAN ROAD IN THE CHESTERFIELD COUNTY INDUSTRIAL AIRPARK TO COURTHOUSE 3, LLC

Ms. Tina Shreve stated this date and time has been advertised for a public hearing for the Board to consider the conveyance of a 3.25-acre parcel located on Reykan Road in the Chesterfield County Industrial Airpark to Courthouse 3, LLC.

Mr. Miller called for public comment.

No one came forward to speak to the issue.

On motion of Mr. Miller, seconded by Mr. King, the Board approved the conveyance of a 3.25-acre parcel located on Reykan Road, exclusive of any wetlands, to Courthouse 3, LLC, and authorized the County Administrator to enter into a purchase contract on terms approved by the County Attorney.

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

17.C. TO CONSIDER THE APPROPRIATION OF FUNDS FOR SITE IMPROVEMENTS FOR A NEW ACADEMIC BUILDING AT JOHN TYLER COMMUNITY COLLEGE - MIDLOTHIAN CAMPUS

Mr. Carmody stated this date and time has been advertised for a public hearing for the Board to consider the appropriation of funds for site improvements for a new academic building at the Midlothian Campus of John Tyler Community College.

Mr. Miller called for public comment.

No one came forward to speak to the issue.

On motion of Mr. Sowder, seconded by Mrs. Humphrey, the Board approved the appropriation of \$1.2 million, currently available in a reserve account, to John Tyler Community College for site improvements for a new academic building to be constructed at the Midlothian Campus.

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

17.D. TO CONSIDER ADOPTION OF AN ORDINANCE TO VACATE A TWENTY-FOOT DRAINAGE EASEMENT WITHIN BLOCK A, REVISION OF CHESTERFIELD AIRPORT INDUSTRIAL PARK, SECTION A

Mr. Harmon stated this date and time has been advertised for a public hearing for the Board to consider an ordinance to vacate a 20-foot drainage easement with Block A, Revision of Chesterfield Airport Industrial Park, Section A.

Mr. Miller called for public comment.

No one came forward to speak to the ordinance.

On motion of Mr. Miller, seconded by Mr. King, the Board adopted the following ordinance:

AN ORDINANCE whereby the COUNTY OF CHESTERFIELD, VIRGINIA, ("GRANTOR") vacates to CK PINE GLEN LIMITED PARTNERSHIP, a North Carolina limited partnership, ("GRANTEE"), a 20' drainage easement in Block A, Revision of Chesterfield Airport Industrial Park, Section A, DALE Magisterial District, Chesterfield County, Virginia, as shown on a plat thereof duly recorded in the Clerk's Office of the Circuit Court of Chesterfield County in Plat Book 27, at Pages 63 and 64.

WHEREAS, CK PINE GLEN LIMITED PARTNERSHIP, petitioned the Board of Supervisors of Chesterfield County, Virginia to vacate a 20' drainage easement in Block A, Revision of Chesterfield Airport Industrial Park, Section A, DALE Magisterial District, Chesterfield County, Virginia more particularly shown on a plat of record in the Clerk's Office of the Circuit Court of said County in Plat Book 27, Pages 63 and 64, by J. K. TIMMONS & ASSOCIATES, P.C., dated OCTOBER 26, 1976; and

WHEREAS on JANUARY 31, 1991 the Board adopted an ordinance to vacate a drainage easement within Block A, Revision of Chesterfield Airport Industrial Park, Section A that was incorrectly identified as a 16' drainage easement but should have been more fully described as follows:

A 20' drainage easement in Block A, Revision of Chesterfield Airport Industrial Park, Section A, the location of which is more fully shown on a plat made by DEWBERRY & DAVIS, dated OCTOBER 16, 1980, a copy of which is attached hereto and made a part of this Ordinance.

WHEREAS, notice has been given pursuant to Section 15.2-2204 of the Code of Virginia, 1950, as amended, by advertising; and,

WHEREAS, no public necessity exists for the continuance of the easement sought to be vacated.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF CHESTERFIELD COUNTY, VIRGINIA:

That pursuant to Section 15.2-2272 of the Code of Virginia, 1950, as amended, the aforesaid easement be and is hereby vacated.

This Ordinance shall be in full force and effect in accordance with Section 15.2-2272 of the Code of Virginia, 1950, as amended, and a certified copy of this Ordinance, together with the plat attached hereto shall be recorded no sooner than thirty days hereafter in the Clerk's Office of the Circuit Court of Chesterfield County, Virginia pursuant to Section 15.2-2276 of the Code of Virginia, 1950, as amended.

The effect of this Ordinance pursuant to Section 15.2-2274 is to destroy the force and effect of the recording of the portion of the plat vacated. This Ordinance shall vest fee simple title of the easement hereby vacated in the property owner of Block A, Revision of Chesterfield Airport Industrial Park, Section A free and clear of any rights of public use.

Accordingly, this Ordinance shall be indexed in the names of the COUNTY OF CHESTERFIELD as GRANTOR, and CK PINE GLEN LIMITED PARTNERSHIP, a North Carolina limited partnership, or its successors in title, as GRANTEE.

Ayes: Miller, Humphrey, King, Sowder and Warren.
Nays: None.

17.E. TO CONSIDER THE EXERCISE OF EMINENT DOMAIN FOR THE ACQUISITION OF A VARIABLE WIDTH WATER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT FOR THE SOUTHWEST CORRIDOR WATERLINE PROJECT

Mr. Harmon stated this date and time has been advertised for a public hearing for the Board to consider the exercise of eminent domain for the acquisition of a variable width water easement and temporary construction easement for the Southwest Corridor Waterline Project.

Mr. Miller called for public comment.

No one came forward to speak to the issue.

After brief discussion, on motion of Mrs. Humphrey, seconded by Mr. Sowder, the Board authorized the County Attorney to proceed with eminent domain for the acquisition of a variable width water easement and temporary construction easement across the property of John Henry Andrews, at 10030 Graves Road, PIN: 755619803700000. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Miller, Humphrey, King, Sowder and Warren.
Nays: None.

18. FIFTEEN-MINUTE CITIZEN COMMENT PERIOD ON UNSCHEDULED MATTERS

There were no requests from citizens to address the Board at this time.

19. ADJOURNMENT

On motion of Mr. King, seconded by Mr. Miller, the Board adjourned at 7:52 p.m. until January 24, 2007 at 3:00 p.m.

Ayes: King, Miller, Humphrey, Sowder and Warren.
Nays: None.

Lane B. Ramsey
County Administrator

Kelly E. Miller
Chairman